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Developers Reject Offer for Burling

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Miller & Smith developers yesterday rejected a \$2.5 million offer by Fairfax County for the purchase of the Burling tract as a park and announced that "construction will commence immediately" on the 309-home subdivision it plans to build on the site along the Upper Potomac palisades.

The County Supervisors responded late last night by asking the developers to name their price and explain the basis for it. They defended the offer as being based on the best appraisals available.

The Supervisors directed the county staff to issue no building permits for construction on the site. The developers could, however, begin road grading without having to obtain any permits.

In rejecting the \$2.5 million offer, John T. Hazel Jr., a lawyer for the McLean firm, called both the amount offered and the move to withhold building permits "absurd." He said it was costing Miller & Smith \$1,000 a day to let the land lie fallow.

County officials say the firm paid \$2.4 million for the property, located northwest of the Capital Beltway and Georgetown Pike.

Hazel challenged the county to "put its money where its mouth is" and begin court proceedings to condemn the land. Such a step, he said, would require the county to post \$2.5 million in a court account and would bind the county to a purchase price set by a judge.

He said he doubted that the county has the money to put into an account.

The offer was made by the Board of County Supervisors yesterday morning, but the amount was not disclosed. Hazel announced the amount of the offer and its rejection at a 6 p.m. press conference.

Late last night, the Supervisors returned from dinner and issued a three-point statement in response to the rejection. It explained that the offer was made on appraisals, said the county agreed with the firm that everyone would benefit from a quick settlement and asked the firm to state its asking price and the basis for that price.

The Supervisors voted to set aside time at a hearing Monday night (previously scheduled for a discussion of sewage facilities) to "take official action, if necessary," on the Burling tract matter. William S. Hoofnagle, chairman of the Supervisors, said he was "disappointed" at the rejection of the county's offer.

He said it was "time to quit playing games and get on with the business of acquiring the Burling tract."

The question unanswered last night was how the developers would respond to the county's request for another price. Gordon V. Smith, a partner in the firm, said earlier yesterday the county's request to delay construction would be complied with "as long as negotiations are proceeding earnestly."

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But he made that statement before the firm rejected the county's offer and declared that construction would begin soon.

The Supervisors have a potential \$3.6 million to spend for the property: \$1.5 million from the Interior Department, \$1.5 million from a voter-authorized tax and \$600,000 in unsold park bonds.

The offer and the rejection were the latest developments in a long controversy over the Burling tract, a 336-acre plot of wilderness overlooking the upper Potomac River.

Conservationists have hoped to block development of the property to preserve the trees and wildlife on it.